

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:	:	
	:	
THOMAS L. BILLIG	:	Chapter 12
TERESA M. BILLIG	:	
	:	Bankruptcy No. 20-12771-PMM
Debtors	:	

ORDER

AND NOW, upon consideration of Scott F. Waterman, Esquire, Chapter 12 Trustee's Motion to Sell Real Estate located at 7861 Springhouse Road, New Tripoli, Lehigh County, PA 18066 ("Property") free and clear of liens to Wagner Family Farms or its assignee ("Purchaser") pursuant to [11 U.S.C. §1206](#) and [11 U.S.C. §363\(b\)](#), and after notice and a hearing

IT IS HEREBY ORDERED that said Motion is approved and the Trustee is authorized to sell the Property to the Purchaser free and clear of liens and encumbrances pursuant to [11 U.S.C. §363](#). Liens shall attach to the proceeds of sale in the same order of priority as provided by Pennsylvania Lien Priority Law.

IT IS FURTHER ORDERED that the Property will be sold for the price of \$1,200,000.00 and that the Purchaser shall pay within five (5) days of this Order the amount of \$25,000.00 deposit in accordance with the Agreement of Sale to be held by Seller's Realtor.

IT IS FURTHER ORDERED that the Purchaser will pay the balance due, in the amount of \$1,175,000.00, and that closing shall take place on or before July 17, 2023, unless the date is changed by agreement between the Trustee and the Purchaser.

IT IS FURTHER ORDERED that the title company is authorized to pay at settlement the customary expenses of sale and real estate commissions of 5% to be split equally between Kim Bonenfant of United Real Estate Strive 212 (Sellers' agent) and Keith Snyder (buyer's agent).

IT IS FURTHER ORDERED THAT such sale is exempt from the payment of state and local realty transfer taxes pursuant to [11 U.S.C. §1231](#).

IT IS FURTHER ORDERED THAT the Debtors or Trustee shall convey title to the Property to the Purchaser, by Warranty Deed, at closing, and that the conveyance is free and clear of all liens against the Property with the liens attaching to the proceeds.

IT IS FURTHER ORDERED THAT at the closing all real estate taxes and the liens owed to Fulton Bank and Berks Farm Services Agency shall be paid in full and satisfied.

IT IS FURTHER ORDERED THAT at the closing Timothy L. Billig and Teresa M. Billig shall each receive a separate check in the amount of \$27,675.00 representing their allowable exemptions of the Property under [11 U.S.C. §522\(d\)](#) the Bankruptcy Code.

IT IS FURTHER ORDERED THAT at the closing Scott F. Waterman, Chapter 12 Trustee shall receive a check in the amount of \$54,972.75 to allow him to pay the remaining unsecured claims in full.

IT IS FURTHER ORDERED THAT at the closing Scott F. Waterman, Chapter 12 Trustee shall receive a second check in the amount of \$120,000.00 to be placed in escrow pending the final determination of the Objection to the Proof of Claim No. 6 of Nancy Billig.

IT IS FURTHER ORDERED THAT any remaining balance of the net proceeds shall be paid to Scott Waterman, Chapter 12 Trustee to be held in escrow, and those funds shall be split equally between the two Debtors. The escrowed balances will be released separately to each Debtor upon receipt of a Certification by the Buyer that each Debtor has vacated the Property.

IT IS FURTHER ORDERED that the Debtors and or the Chapter 12 Trustee are empowered to and shall execute all instruments necessary to effectuate transfer of the Property.

BY THE COURT:

June 20, 2023

Dated



Patricia M. Mayer, Bankruptcy Judge